

REMARKS

The Office Action dated October 13, 2005 has been received and carefully reviewed. Claims 2-7, 22, 23, and 26 have been amended. Claim 1 has been canceled. Accordingly, claims 2-20 and 22-26 are currently pending. Examination and reconsideration are respectfully requested.

Claim 22 is objected to because it depends on a canceled claim. Claim 23 is objected to due to a grammatically incorrect recitation. Both claims have been amended. Accordingly, the Applicants ask the Examiner to withdraw both objections.

The Office Action rejected claims 1 and 5-14 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 1,550,700 to *Holub*. The Applicants have canceled claim 1, thereby rendering the rejection of this claim moot. Regarding claims 5-14, the Applicants respectfully traverse this rejection.

As required in Chapter 2131 of the M.P.E.P., in order to anticipate a claim under 35 U.S.C. § 102, "the reference must teach every element of the claim." The Applicants respectfully submit that *Holub* does not teach every element recited in claims 5-14. Therefore, *Holub* cannot anticipate these claims.

Holub does not teach that "the cabinet holder and the fire plate include sides mounted in contact with an inside surface of the top cover," as required by claim 5. In rejecting claim 5, the Examiner cites figures 1, 3, & 6 of *Holub*. Moreover, the Examiner states that the "corner posts 4" illustrated in the figures anticipate the "cabinet holder." The Applicants respectfully disagree. Assuming, *arguendo*, that the corner posts constitute a cabinet holder, the "corner posters" 4, as illustrated, do not have any side in contact with an inside surface of

the top cover. Likewise, figures 1 and 6 fail to show that the "corner posts" 4 have any side that contacts the inside surface of the top cover. Therefore, the "corner posters" 4 cannot possibly anticipate the "cabinet holder" required by claim 5.

Holub also does not disclose that the "cabinet holder includes a plurality of fastening pieces on an underside of the cabinet holder for fastening the fire plate to the side plate," as required by claim 7. The Examiner contends that the "hinges" shown in figure 1 of *Holub* and the "jamb strips" 17 in figure 10 teach this limitation. The Applicants respectfully disagree. As may be clearly seen with respect to figure 1, the hinges referred to in the Office Action are not on an underside of a cabinet. Instead, the hinges are at the front and the side of the structure shown therein. Thus, the hinges in *Holub* cannot anticipate claim 7. Regarding the "jamb strips" 17, even if the "corner posters" constitute the "cabinet holder," which they do not, and even if the jamb strips constitute fastening pieces, which they do not, the "jamb strips" are not part of the "corner posters" 4. In fact, the jamb strips are separate structures. Thus, *Holub* cannot possibly teach the "cabinet holder" including "a plurality of fastening pieces."

Additionally, *Holub* fails to teach that "the fire plate includes a first flange at each of opposite edges having a plurality of first fastening holes receiving the fastening pieces" and that "the side plate includes a second flange in top part having a plurality of second fastening holes in communication with the first fastening holes," required by claim 8. The Examiner rejects this claim because "there is a first and second set of hinge flanges on each fire plate door." The Applicants respectfully disagree. Even if the "pair of doors" is a "fire plate," which it is not, the first flange is not a part of the "pair of doors," and the second flange is not part of the "side plate" as required by the claim.

Holub does not teach either that "the cabinet holder further includes a plurality of through holes in communication with the first, and second holes," or that "at least one of said fastening pieces is on an underside of an edge of one side of the through hole," required by claim 9. In rejecting claim 9, the Examiner, citing to figure 10, states "wherein fastener piece hinges are connected through holes." See e.g., the Office Action at page 3. The Applicants respectfully disagree. The mere fact that the hinges are connected through holes does not suggest such holes are first, second holes, or through holes. Moreover, there is no teaching of "fastening pieces on an underside of an edge of one side of the through hole" anywhere in *Holub*.

Holub further fails to teach that "the second flange further includes a plurality of positioning projections projected upward for alignment of a fastening position of the side plate with the fire plate" and that "the first flange further includes first inserting holes receiving the positioning projections," as required by claim 10. The Examiner contends that the "jamb strips" 17 anticipate the "positioning projections." The Applicants respectfully disagree. Again, the "jamb strips" 17 are not part of the "second flange." Further, nowhere in *Holub* does it teach that the "first flange" or the "first inserting holes receiving the positioning projections."

Holub cannot anticipate claims 11 and 12 at least for the reason that it fails to anticipate claim 10, from which claims 11 and 12 depend. Additionally, *Holub* fails to teach the "a plurality of second inserting holes receiving the positioning projections projected through the first inserting holes" required by claim 11.

Holub cannot teach claims 13 and 14 at least for the reasons that it does not teach claim 8, from which claims 13 and 14 depend. In addition, *Holub* fails to teach that "the fire

plate includes grooves in a center part of a top surface for improving a rigidity of the fire plate," as required by claim 13. Assuming, *arguendo*, that the "channel part" is a "groove" as contended by the Examiner, and even if the "pair of doors" constitute a "cabinet holder," which it does not, the "channel part" is not on a "top surface" of the doors as required by claim 13.

Holub also fails to teach that "the cabinet holder and the fire plate include sides mounted in contact with an inside surface of the top cover, said sides serving as a supporting wall which prevents the side surface of the top cover from inward deformation by an external force," as required by claim 14. The Examiner relies on the "sides for cabinet" 15 and 1 for rejection. The Applicants respectfully disagree. Elements 1 and 15 in *Holub* are merely sides for the cabinet, not sides of a "cabinet holder" or a "fire plate" as required by claim 14.

For the various reasons set forth above, the applicants respectfully request that the examiner withdraw the rejection of claims 1 and 5-14 under 35 U.S.C. §102.

The Office Action rejected claims 15, 17, and 22-26 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 3,402,281 to *Vonderhaar*. The Applicants respectfully traverse this rejection.

Claim 15 recites a laundry dryer comprising, among other features, "a fire plate between the side plate and the top cover and between the front plate and the top cover, the fire plate having a first flange with a plurality of first fastening holes" and "a cabinet holder joining the fire plate to the side plate, the cabinet holder including a plurality of fastening pieces on an underside of the cabinet holder." *Vonderhaar* does not teach these features.

In maintaining the rejection, the Examiner states that the "panel support member" 134 anticipates the fire plate "between the side plate and the top cover and between the front plate and the top cover," and that the part 136 anticipates a "cabinet holder joining the fire plate to the side plate." The Applicants respectfully disagree. First of all, the "panel support member" 134 described in *Vonderhaar* is not a plate, and it does not have a flange with a plurality of fastening holes, as expressly required by claim 15. Secondly, even if "panel support member" was a "fire plate," which it is not, part 136 does not join the "panel support member" 134 to the side plate. Additionally, part 136 does not have on its underside a plurality of fastening pieces. Thus, part 136 and the "panel support member" 134 do not form a relationship where a plurality of fastening pieces are received by a plurality of fastening holes as required by claim 15. Lastly, the Examiner admits (*See e.g.*, the Office Action at page 6) that *Vonderhaar* does not disclose the claimed "laundry dryer." For at least these reasons, *Vonderhaa* cannot possibly anticipate claim 15.

Vonderhaar cannot anticipate claim 17 at least for the reason that it fails to teach claim 15. Additionally, *Vonderhaar* does not disclose "a cabinet bracket on each of top corners of the laundry dryer where the front plate and the side plate are joined, for joining with opposite ends of the front plate and the side plate" or that "the cabinet bracket includes a hook fastener on top thereof, and the top cover includes a hook for fastening to the hook fastener," as required by claim 17.

Vonderhaar cannot anticipate claims 22-25 at least for the reason that it fails to teach claim 15. In addition, *Vonderhaar* fails to disclose that "the cabinet holder includes a plurality of fastening pieces on an underside of the cabinet holder fastening the fire plate to the side plate; the first flange at an edge of the fire plate," and that "the side plate includes a

second flange at a top part having a plurality of second fastening holes in communication with the first fastening holes," as required by claim 22. It further fails to disclose that "the cabinet holder further includes a plurality of through holes in communication with the first, and second fastening holes," and that "the fastening pieces are on an underside of an edge of one side of the through hole," as required by claim 23. What's more, it does not teach that "the second flange further includes a plurality of positioning projections projected upward for aligning the side plate during fastening of the side plate with the fire plate," and that "the first flange further includes first inserting holes receiving the positioning projections therein," required by claim 24. Lastly, it fails to anticipate that "the cabinet holder further includes a plurality of second inserting holes receiving the positioning projections projected through the first inserting holes," as required by claim 25.

Vonderhaar also fails to disclose all of the features required by claim 26. The Examiner asserts that the "burner box" 77 anticipates the "fire plate," and that the "main section of side panels and back member" 82 anticipates the "cabinet holder." The Applicants respectfully disagree. First, the "burner box" is not a plate, and does not function to prevent fire from spreading from the cabinet. Secondly, the "main section of side panels and back members" do not serve to fasten the fire plate to the side plate.

For the various reasons set forth above, the applicants respectfully request that the examiner withdraw the rejection of claims 15, 17, and 22-26 under 35 U.S.C. §102.

In addition, the Examiner rejected claims 2-4 under 35 U.S.C. § 103(a) over *Holub* in view of U.S. Patent No. 1,993,201 to *Yandell*. The Applicants respectfully traverse this rejection.

As required in Chapter 2143.03 of the M.P.E.P., in order to “establish prima facie obviousness of the claimed invention, three basic criteria must be met. First, there must be some suggestions or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, all the limitations must be taught or suggested by the prior art.” The Applicants respectfully submit that *Holub* and *Yandell* combined do not disclose or suggest all the elements recited in claims 2-4.

Specifically, neither *Holub* nor *Yandell* teaches “a fire plate between the side plate and the top cover, for preventing spreading of the fire taking place in the cabinet to an exterior,” as required by claim 1, from which claims 2-4 depend. *Holub* does not teach this limitation, as previously discussed. *Yandell* also does not teach this limitation. Thus, *Holub* in view of *Yandell* cannot possibly render claims 2-4 obvious.

Accordingly, the Examiner has failed to establish a prima facie case of obviousness. The applicants request that the Examiner withdraw the rejection of claims 2-4 under 35 U.S.C. §103.

The Examiner also rejects claims 16 and 18 under 35 U.S.C. § 103(a) over *Vonderhaar* in view of *Holub*. The Applicants respectfully traverse this rejection.

As previously discussed, *Vonderhaar* does not teach “a fire plate between the side plate and the front plate and the top cover for preventing spreading of a fire taking place in the cabinet” or “a cabinet holder joining the fire plate to the side plate,” as required by claim

15, from which claims 16 and 18 depend. *Holub* does not teach either limitation as discussed above. Thus, *Vonderhaar* in view of *Holub* cannot possibly render claims 16 and 18 obvious.

Further, neither reference discloses a "cabinet bracket on each of top corners of the laundry dryer where the front plate and the side plate are joined, for joining with opposite ends of the front plate and the side plate," as required by claim 16.

Accordingly, the Examiner has failed to establish a prima facie case of obviousness, and the applicants request that the Examiner withdraw the rejection of claims 16 and 18 under 35 U.S.C. §103.

The Examiner rejects claims 19 and 20 under 35 U.S.C. § 103(a) over *Vonderhaar* in view of *Yandell*. The Applicants respectfully traverse this rejection.

The two cited references cannot render claims 19 and 20 obvious at least for the reason that they fail to teach all the limitations in claim 15, from which both claims depend. Further, *Yandell* does not disclose that "the fire plate includes a top surface having a curvature matching a curvature of the top cover," as required by claim 20.

Accordingly, the Examiner has failed to establish a prima facie case of obviousness, and the Applicants request that the Examiner withdraw the rejection of claims 19 and 20 under 35 U.S.C. §103.

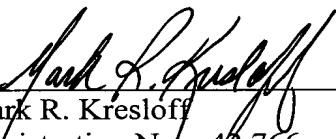
The Examiner also provisionally rejected claims 1-20 and 22-26 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 106 of co-pending Application No. 10/663,997. As this is a provisional rejection, the Applicants will tend to the double patenting rejection upon an indication of allowability of the pending claims.

The application is in a condition for allowance and favorable action is respectfully solicited. If for any reason the Examiner believes a conversation with the Applicant's representative would facilitate the prosecution of this application, the Examiner is encouraged to contact the undersigned attorney at (202) 496-7500. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

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Respectfully submitted,

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